

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES and STATE OF
TEXAS *ex rel.* DANIEL W. ELLIOTT,
M.D. and LISA A. MINSLOFF, M.D.,

Plaintiffs,

v.

SOUTHEAST TEXAS MEDICAL
ASSOCIATES, LLP *et al.*,

Defendants.

No. 1:23-CV-00329

DEMAND FOR JURY TRIAL

NOTICE OF WITHDRAW OF MOTION

On September 5, 2023, the Court issued an Order Setting Civil Action for Rule 16 Management Conference directing the parties to produce all documents that are relevant to a claim or defense of any party by October 2, 2023. (Dkt. No. 95). Defendants failed to comply with that order, which necessitated Relators' October 5, 2023 Motion to Compel. (Dkt. No. 102). Defendants thereafter made some document productions on or around October 17, 2023.

On October 20, 2023, the Court partially granted Defendants' Motion to Stay Discovery. (Dkt. No. 112). Specifically, the Court stayed "[a]ll discovery, except discovery related to the pending dispositive motions." *Id.* In light of that Order, Relators give notice that they intend to withdraw their Motion to Compel without prejudice. Consistent with the Court's Order, Relators will serve Defendants with discovery requests related to the pending dispositive motions.

Dated: October 23, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was filed on October 23, 2023, through the ECF system, and will thereby be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Allison N. Cook
Allison N. Cook